

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GREGORY NELSON,

Plaintiff,

v.

ANDREW CRAFT, et al.,

Defendants.

Case No. 1:13-cv-110

Weber, J.  
Bowman, M.J.

**REPORT AND RECOMMENDATION**

Plaintiff Gregory Nelson initiated this litigation *pro se* and *in forma pauperis*, but on April 19, 2013, was appointed counsel by this Court. (Docs. 1, 5). On June 19, 2013, three Defendants filed a motion to dismiss based upon a failure of service. In a response in opposition to that motion, Plaintiff notes that Defendants subsequently agreed not to object to an extension of time to perfect service. In fact, Plaintiff's unopposed motion to extend time for service was granted on June 25, 2013; all three Defendants have since executed waivers of service and answered the complaint. (Docs. 11, 12, 13, 14).

Accordingly, **IT IS RECOMMENDED THAT** Defendants' motion to dismiss (Doc. 7) be **DENIED**.

s/ Stephanie K. Bowman  
Stephanie K. Bowman  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GREGORY NELSON,

Plaintiff,

v.

ANDREW CRAFT, et al.,

Defendants.

Case No. 1:13-cv-110

Weber, J.  
Bowman, M.J.

**NOTICE**

Pursuant to Fed. R. Civ. P 72(b), any party may serve and file specific, written objections to this Report and Recommendation (“R&R”) within **FOURTEEN (14) DAYS** of the filing date of this R&R. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN (14) DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).